In re Application of:

Huang, et al.

Serial No. 09/240,833

Filed: February 1, 1999

For: IP Routing Lookup Scheme And System For

Multi-Gigabit Switching Routers

Art Unit: 2153

Examiner: Benson, W.

Atty. Docket: 147268.00261

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. 1.181

Box DAC Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Notice of Abandonment mailed September 24, 2001 (See Attachment A, Notice of Abandonment, Paper Number 4), Applicant respectfully requests withdrawal of holding of abandonment based on the following Remarks.

Applicant also submits the attached Declaration and Power of Attorney (See Attachment B) appointing Thomas Moga and Powell, Goldstein, Frazer & Murphy, LLP, to transact all business in the Patent and Trademark Office regarding this Application.

It is believed that no fee or extension of time is required. However, if a fee is necessary, then such fee is hereby authorized to be charged to our Deposit Account No.

RECEIVED
50-1682.

DEC 2 8 2001

OFFICE OF PETITIONS DEPUTY A/C PATENTS

<u>REMARKS</u>

Applicant hereby submits that pursuant to 37 CFR 1.181 and MPEP 711.03(c) the following facts warrant withdrawal of the holding of abandonment of the above-referenced Application. The name and address of record in the Patent and Trademark Office for correspondence in the above-referenced Application is:

Nen-Fu Huang No. 10, Alley 3, Lane 6, FU Chun St. Hsinchu Taiwan

(See, e.g., the Notice of Abandonment, Attachment A). On October 23, 2001, Applicant received a Notice of Abandonment dated September 24, 2001. (See Attachment A). The Notice states as grounds for abandonment, Applicant's failure to respond to an Office letter mailed January 30, 2001. However, Applicant hereby states that no Office letter or similar correspondence was received by Applicant with a mailing date on or about January 30, 2001. (See Attachment C, Declaration of Nen-Fu Huang). Applicant further states that a search of Applicant's file jacket and records indicates that an Office communication with a mailing date on or about January 30, 2001 was never received. (See Attachment C).

For the foregoing reasons, withdrawal of the Examiner's holding of abandonment is the appropriate course of action. Therefore, pursuant to 37 CFR 1.181 and MPEP 711.03(c), Applicant respectfully requests withdrawal of holding of abandonment based on failure to receive the Office letter.

U.S. Application No. 09/240,833

CONCLUSION

Applicant respectfully requests that Examiner reconsider and withdraw the holding of abandonment, and that the Office letter (mailed from the Patent and Trademark Office January 30, 2001) be mailed to Powell, Goldstein, Frazer & Murphy, LLP, per the enclosed Power of Attorney. It is believed that a full and complete petition has been made for withdrawal of the Notice of Abandonment and, as such, the present application is in active status. If Examiner believes, for any reason, that personal communication will expedite prosecution of this application, Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Petition is respectfully requested.

Respectfully submitted,

Powell, Goldstein, Frazer & Murphy, LLP

By: Milladward by No. 35020

Reg. No. 34.881

Date: December 17, 2001

Powell, Goldstein, Frazer & Murphy, LLP

P.O. Box 97223

Washington, D.C. 20090-7223

(202) 624-3947



147268.00261

09728701

UNITED STATES DEPARTMENT OF COMMERCE

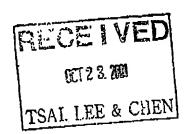
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICATION NO. **FILING DATE** FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 09/200,833 02/01/99 不过台灣原 N EXAMINER TM02/0925 MEN OU HIGHWA BENSON. N NO 10 ALLIEY 3 LANE & BU CHUR ST ART UNIT PAPER NUMBER HEINCHU TATIGME ACR MAYE 2153 DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



4 298024 US

RECEIVED

DEC 2 8 2001

OFFICE OF PETITIONS **DEPUTY A/C PATENTS**



PTO-900 (Rev. 2/95) *U.S. GPO: 2000-473-000/44602

Description Part Description Descrip	•			Applicant(s)					
Walter Benson 2153	PE	Al. din E Ab da	09/240,833	<u> </u>		ed.			
This application is abandoned in view of: Applicant's failure to timely file a proper reply to the Office letter mailed on	· · · · · · · · · · · · · · · · · · ·	Notice of Abandonment		on					
Applicant's failure to timely file a proper reply to the Office letter mailed on	1 7 2007	The MAILING DATE of this communication appears	on the cover sheet wh	th the corres	pondenoe addres	is			
(a) A reply was received on									
No minch is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on	AAAA A	pplicant's failure to timely file a proper reply to th	e Office letter mailed	on <u>Jan 30</u>	. 2001 .				
1.113(a) to the final rejection. (A proper reply under 37 CPR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request-for Continued Examination (RCE) in compliance with 37 CPR 1.114). (c) ☑ No response has been received. (d) ☑ No response has been received. (e) ☑ No response has been received. (a) ☑ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, was received on	(a) 🗀), which is after the expirat	on of the period for re	ailing of Tra eply (includi	nsmission dated ing a total exten	sion of time of			
the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request-for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) No response has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated, which is after the expiration of the statutory period for payment of the issue fee and publication fee; is in the Notice of Allowance. (b) The submitted issue fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d) is \$		1.113(a) to the final rejection.							
Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on	£h	e application in condition for allowance: (2) a time	ely filed Notice of App	peal (with a	filed amendme ppeal fee); or (3	nt which places i) a timely filed			
of three months from the mailing date of the Notice of Allowance (PTOL-89). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated, which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance. (b) The submitted issue fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d) is \$	(c) 🔯	No response has been received.							
Transmission dated publication fee) set in the Notice of Allowance. (b) The submitted issue fee of \$ is insufficient. A balance of \$ is due. The Issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d) is \$	2. 🗆 · A	Applicant's failure to timely pay the required issue of three months from the mailing date of the Notic	fee and publication fe e of Allowance (PTOL	e, if applica 85).	able, within the	statutory period			
The Issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d) is \$ (c) □ The issue fee and publication fee, if applicable, has not been received. 3. □ Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) □ Proposed new formal drawings were received on		issue fee (and publication fee) set in the Notice	of Allowance.	Ole Statute		cate of Mailing or syment of the			
(c) The issue fee and publication fee, if applicable, has not been received. 3. Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed new formal drawings were received on within the period for reply. (b) Proposed new formal drawings filed on are not acceptable and the period for reply has expired. (c) No proposed new formal drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filling of a continuing application. 6. The decision by the Board of Petent Appeals and interferences rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: RECEIVED DEC 2 8 2001 DEC 2 8 2001 DEFICE OF PETITIONS Page of Page No. 4.	(b) [The submitted issue fee of \$ is insufficitional transfer required by 37 CFR 1.18 is \$	ent. A balance of \$ The publication	is d	ue. ired by 37 CFR	1.18(d) is \$			
Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed new formal drawings were received on									
(a) Proposed new formal drawings were received on	3. 🗆	Applicant's failure to timely file new formal drawir			e three-month p	erion set in, the			
(b) The proposed new formal drawings filed on	(a) C	Proposed new formal drawings were received of Transmission dated	on In is after the expiration	_(with a Co on of the pe	ertificate of Mail eriod for reply.	ling ox			
The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filling of a continuing application. 6. The decision by the Board of Patent Appeals and Interferences rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: RECEIVED GLENTON B. BURGESS SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2100 OSFICE OF PETITIONS DEPUTY A/C PATENTS		The proposed new formal drawings filed on							
The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filling of a continuing application. 6. The decision by the Board of Patent Appeals and Interferences rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: RECEIVED GLENTON B. BURGESS SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2100 OSFICE OF PETITIONS DEPUTY A/C PATENTS	(c)_[No proposed new formal drawings have been re	eceived.	· · · · ·	·	* * * * * * * * * * * * * * * * * * * *			
under 37 CFR 1.34(a)) upon the filling of a continuing application. 6. The decision by the Board of Patent Appeals and Interferences rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: RECEIVED GLENTON B. BURGESS SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2100 OFFICE OF PETITIONS U. S. Parent and Transment Office	4.□	The letter of express abandonment which is signe		agent of rec	ord, the assigne	ee of the entire			
period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: PECEIVED GLENTON B. BURESS SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 21 DO OFFICE OF PETITIONS U. S. Parent and Trademark Office Part of Pariet No. 4	5. 🗆	The letter of express abandonment which is signe under 37 CFR 1.34(a)) upon the filing of a continu	d by an attorney or a	gent (acting	in a representa	rtive capacity			
DEC 2 8 2001 OFFICE OF PETITIONS U. S. Passent and Tradsmark Office DEC 2 8 2001 OFFICE OF PETITIONS DEPUTY A/C PATENTS DEPUTY A/C PATENTS DEPUTY A/C PATENTS	6. 🗀	The decision by the Board of Petent Appeals and period for seeking court review of the decision has	Interferences rendered is expired and there a	d on re no allow		nd because the			
DEC 2 8 2001 SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 21 DO OFFICE OF PETITIONS U. S. Parent and Trademark Office DEPUTY A/C PATENTS DEPUTY A/C PATENTS Page of Page No. 4	7.		CEIVED	(B)	ZD.				
U. S. Passent and Tradsmark Office		•	-	SUPERV	isory patent (EXAMINER			
U. S. Passent and Tradsmark Office		محداث	E OF PETITIONS						
		nd Trademark Office	TY A/C PATENTS		Part o	f Paper No. 4			



DECLARATION

As the below named applicant, I hereby declare the following:

I did not received the Office letter mailed by the United States Patent and Trademark Office on Jan. 30, 2001 with regard to the <u>U.S. Patent Application Serial No. 09/240,833</u> (invention title: IP ROUTING LOOKUP SCHEME AND SYSTEM FOR GIGABIT SWITCH ROUTERS).

My search of the file jacket and records also indicates that the Office letter was not received.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this statement is directed.

Sign on this _	27	day of _Nov	<u>rember, 2001.</u>	
_			Agu To H	haus
		By :	Man barr	(sign)
		Name:	Nen-Fu Huang	(print)

